

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

CHRISTOPHER DIXON,	:	
Petitioner,	:	Case No. 3:04cv00308
vs.	:	District Judge Thomas M. Rose
		Magistrate Judge Sharon L. Ovington
ERNIE MOORE, ¹ Warden,	:	
Lebanon Correctional Institution,	:	
	:	
Respondent.	:	

DECISION AND ENTRY

The Court has reviewed *de novo* the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #23), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby adopts said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendations filed on May 21, 2010 (Doc. #23) is ADOPTED in full;
2. Petitioner's Motion for Relief from Judgment (Doc. #20) is DENIED; and

¹ Tim Brunzman is the current Warden of the Lebanon Correctional Institution and is therefore the proper Respondent. For docketing consistency, the case caption remains the same.

3. The case remains terminated on the docket of this Court.

June 8, 2010

**s/THOMAS M. ROSE*

Thomas M. Rose
United States District Judge